

Fill in this information to identify the case:

Debtor Name James Livingston

United States Bankruptcy Court for the: Middle District of Tennessee



Case number: 3:20bk-03560

☐ Check if this is an amended filing

Official Form 425C

Monthly Operating Report for Small Business Under Chapter 11

12/17

Month: October


Date report filed: 11/12/2020
MM / DD / YYYY

Line of business: _____

NAISC code: _____

In accordance with title 28, section 1746, of the United States Code, I declare under penalty of perjury that I have examined the following small business monthly operating report and the accompanying attachments and, to the best of my knowledge, these documents are true, correct, and complete.

Responsible party: James Livingston

Original signature of responsible party: 

Printed name of responsible party: James Livingston

1. Questionnaire

Answer all questions on behalf of the debtor for the period covered by this report, unless otherwise indicated.

If you answer No to any of the questions in lines 1-9, attach an explanation and label it Exhibit A.

	Yes	No	N/A
1. Did the business operate during the entire reporting period?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Do you plan to continue to operate the business next month?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Have you paid all of your bills on time?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Did you pay your employees on time?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Have you deposited all the receipts for your business into debtor in possession (DIP) accounts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Have you timely filed your tax returns and paid all of your taxes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Have you timely filed all other required government filings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Are you current on your quarterly fee payments to the U.S. Trustee or Bankruptcy Administrator?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Have you timely paid all of your insurance premiums?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you answer Yes to any of the questions in lines 10-18, attach an explanation and label it Exhibit B.

10. Do you have any bank accounts open other than the DIP accounts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Have you sold any assets other than inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Have you sold or transferred any assets or provided services to anyone related to the DIP in any way?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Did any insurance company cancel your policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Did you have any unusual or significant unanticipated expenses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Have you borrowed money from anyone or has anyone made any payments on your behalf?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Has anyone made an investment in your business?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

17. Have you paid any bills you owed before you filed bankruptcy? ☐ ☒ ☐
18. Have you allowed any checks to clear the bank that were issued before you filed bankruptcy? ☐ ☒ ☐

2. Summary of Cash Activity for All Accounts

19. **Total opening balance of all accounts**

\$ 775.00

This amount must equal what you reported as the cash on hand at the end of the month in the previous month. If this is your first report, report the total cash on hand as of the date of the filing of this case.

20. **Total cash receipts**

Attach a listing of all cash received for the month and label it *Exhibit C*. Include all cash received even if you have not deposited it at the bank, collections on receivables, credit card deposits, cash received from other parties, or loans, gifts, or payments made by other parties on your behalf. Do not attach bank statements in lieu of *Exhibit C*.

Report the total from *Exhibit C* here.

\$ 0.00

21. **Total cash disbursements**

Attach a listing of all payments you made in the month and label it *Exhibit D*. List the date paid, payee, purpose, and amount. Include all cash payments, debit card transactions, checks issued even if they have not cleared the bank, outstanding checks issued before the bankruptcy was filed that were allowed to clear this month, and payments made by other parties on your behalf. Do not attach bank statements in lieu of *Exhibit D*.

Report the total from *Exhibit D* here.

- \$ 244.00

22. **Net cash flow**

Subtract line 21 from line 20 and report the result here.

This amount may be different from what you may have calculated as *net profit*.

+ \$ -244.00

23. **Cash on hand at the end of the month**

Add line 22 + line 19. Report the result here.

Report this figure as the *cash on hand at the beginning of the month* on your next operating report.

This amount may not match your bank account balance because you may have outstanding checks that have not cleared the bank or deposits in transit.

= \$ 531.00

3. Unpaid Bills

Attach a list of all debts (including taxes) which you have incurred since the date you filed bankruptcy but have not paid. Label it *Exhibit E*. Include the date the debt was incurred, who is owed the money, the purpose of the debt, and when the debt is due. Report the total from *Exhibit E* here.

24. **Total payables**

(*Exhibit E*)

\$ 0.00

4. Money Owed to You

Attach a list of all amounts owed to you by your customers for work you have done or merchandise you have sold. Include amounts owed to you both before, and after you filed bankruptcy. Label it *Exhibit F*. Identify who owes you money, how much is owed, and when payment is due. Report the total from *Exhibit F* here.

25. Total receivables \$ 0.00
(Exhibit F)

5. Employees

26. What was the number of employees when the case was filed? 0
27. What is the number of employees as of the date of this monthly report? 0

6. Professional Fees

28. How much have you paid this month in professional fees related to this bankruptcy case? \$ 0.00
29. How much have you paid in professional fees related to this bankruptcy case since the case was filed? \$ 0.00
30. How much have you paid this month in other professional fees? \$ 175.00
31. How much have you paid in total other professional fees since filing the case? \$ 0.00

7. Projections

Compare your actual cash receipts and disbursements to what you projected in the previous month. Projected figures in the first month should match those provided at the initial debtor interview, if any.

	Column A		Column B		Column C
	Projected	—	Actual	=	Difference
	Copy lines 35-37 from the previous month's report.		Copy lines 20-22 of this report.		Subtract Column B from Column A.
32. Cash receipts	\$ <u>0.00</u>	—	\$ <u>0.00</u>	=	\$ <u>225.00</u>
33. Cash disbursements	\$ <u>5,767.00</u>	—	\$ <u>244.00</u>	=	\$ <u>-5,523.00</u>
34. Net cash flow	\$ <u>-5,767.00</u>	—	\$ <u>-244.00</u>	=	\$ <u>5,523.00</u>
35. Total projected cash receipts for the next month:					\$ <u>0.00</u>
36. Total projected cash disbursements for the next month:					= \$ <u>4,826.00</u>
37. Total projected net cash flow for the next month:					= \$ <u>-4,826.00</u>

8. Additional Information

If available, check the box to the left and attach copies of the following documents.

- ☒ 38. Bank statements for each open account (redact all but the last 4 digits of account numbers).
- ☐ 39. Bank reconciliation reports for each account.
- ☒ 40. Financial reports such as an income statement (profit & loss) and/or balance sheet.
- ☐ 41. Budget, projection, or forecast reports.
- ☐ 42. Project, job costing, or work-in-progress reports.



150 Third Avenue South
Suite 900
Nashville, TN 37201

www.pnfp.com
Phone 800-264-3613

RETURN SERVICE REQUESTED

Account
XXXXXXXX1400

LG Ornaments
Debtor -in- Possession
148 Stonecrest Drive
Nashville, TN 37209-5236

Statement of Account

Horizon 75

Balance 10/01/20	Summary	
\$ 774.61		
Balance 11/01/20	Credits	+\$.00
\$ 530.58	Interest	+\$.00
	Debits	-\$ 244.03



Debit Transactions

Other Debits

10/13	5310 HARDING PIKE WHITTS BBQ HARD NASHVILLE TN 100920 Card#8092	18.85
10/13	5304 HARDING PIKE HART ACE HDWE NASHVILLE TN 100920 Card#8092	37.12
10/13	ERIE INS GROUP ERIEXPSPAY Q441051089 1256038677 LG Ornaments	41.65
10/16	518 A 3rd Ave S. SQ *POP-A-LOCK Nashville TN 101520 Card#8092	54.95
10/19	STAR MART 102 CASTALIAN SPR TN 101920 967475 Card#8092	4.12
10/20	2501 HIGHWAY 31 E N ROCK BRIDGE MAR GALLATIN TN 101920 Card#8092	6.12
10/20	600 LONG HOLLOW PIK GALLATIN KEYSTO GALLATIN TN 101920 Card#8092	21.13
10/22	100 ASHFORD CTR N ST SEDC PAYMENT 678-9062570 GA 102220 Card#8092	47.08
10/26	BETHPAGE STORE BETHPAGE TN 102420 029864894388 Card#8092	13.01
Total Debits		\$244.03

Pinnacle Recognized Nationally for Brand and Service Excellence

Greenwich Associates interviewed 27,000 middle market and small business banking clients for its 2019 Greenwich Best Brand and Greenwich Excellence Awards. Pinnacle brought home 29 awards, tying for the most in the country and cementing Pinnacle's place as one of the best banks to work with in the United States. Four of the national awards were for trust and for ease of doing business in the middle market banking and small business banking categories. Thank you for continuing to trust Pinnacle to help your business reach new heights. For more information, visit PNFP.com/Greenwich



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Desc Main

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ELECTRONIC TRANSFER ERROR RESOLUTION

This Electronic Transfer Error Resolution only applies to accounts held for personal, family or household purposes and is therefore not applicable to business, trust accounts, or any such account held for non-personal purposes.

In case of errors or questions about your electronic transfers, call or write us at the telephone number or address listed at the end of this disclosure, as soon as you can, if you think your statement or receipt is wrong or if you need more information about a transfer listed on the statement or receipt.

- Tell us your name and account number (if any).
- Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe it is an error or why you need more information.
- Tell us the dollar amount of the suspected error.

We must hear from you no later than 60 days after we send the FIRST statement on which the problem or error appeared.

We will provide provisional credit for the amount that you think is in error within 10 business days of your complaint and begin an investigation of the transaction(s). In most cases, we will disclose the results of the investigation within 10 business days of your complaint and correct any error promptly. If we need more time to investigate the complaint, we may take up to 45 days (90 days if the transfer involved a point-of-sale transaction or a foreign initiated transfer) to complete our investigation. However, you will have use of the funds in question during our investigation.

Pinnacle Bank
150 3rd Avenue South, Suite 900
Nashville, TN 37201
(800) 264-3613

Average Balance This Statement	\$652.50	Annual Percentage Yield Earned	.00%
Interest Earned This Period	\$.00	Days in Period	32
Interest Paid Year to Date	\$.00	Interest Paid	\$.00

DAILY BALANCE INFORMATION

10/01	774.61	10/19	617.92	10/26	530.58
10/13	676.99	10/20	590.67		
10/16	622.04	10/22	543.59		

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LG Ornaments LLC

PROFIT AND LOSS DETAIL

October 2020

DATE	TRANSACTION TYPE	NUM	NAME	PROPERTY	CLASS	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
Ordinary Income/Expenses									
Expenses									
60100 Car & Truck									
60110 Car & Truck - Fuel									
10/19/2020	Expense					STAR MART 102 CASTALIAN SPR TN STAR MART 102 CASTALIAN SPR TN 101920 967475 Card#8092	10102 Pinnacle Operation Ck *1400	4.12	4.12
10/20/2020	Expense					2501 HIGHWAY 31 E N ROCK BRIDGE 2501 HIGHWAY 31 E N ROCK BRIDGE MAR GALLATIN TN 101920 Card#8092	10102 Pinnacle Operation Ck *1400	6.12	10.24
10/20/2020	Expense					600 LONG HOLLOW PIK GALLATIN KE 600 LONG HOLLOW PIK GALLATIN KEYSTO GALLATIN TN 101920 Card#8092	10102 Pinnacle Operation Ck *1400	21.13	31.37
Total for 60110 Car & Truck - Fuel								\$31.37	
60130 Auto Repair									
10/16/2020	Expense					518 A 3rd Ave S. SQ *POP-A-LOCK 518 A 3rd Ave S. SQ *POP-A-LOCK Nashville TN 101520 Card#8092	10102 Pinnacle Operation Ck *1400	54.95	54.95
Total for 60130 Auto Repair								\$54.95	
Total for 60100 Car & Truck								\$86.32	
61110 Insurance - General Liability Insurance									
10/13/2020	Expense					ERIE INS GROUP ERIEXPSPAY Q4410 ERIE INS GROUP ERIEXPSPAY Q441051089 1256038677 LG Ornaments	10102 Pinnacle Operation Ck *1400	41.65	41.65
Total for 61110 Insurance - General Liability Insurance								\$41.65	
61400 Meals & Entertainment									
61420 Meals - Officers Only									
10/13/2020	Expense					5310 HARDING PIKE WHITTS BBQ HA 5310 HARDING PIKE WHITTS BBQ HARD NASHVILLE TN 100920 Card#8092	10102 Pinnacle Operation Ck *1400	18.85	18.85
Total for 61420 Meals - Officers Only								\$18.85	
61430 Meals - Employees (Meetings)									
10/13/2020	Expense					5304 HARDING PIKE HART ACE HDWE 5304 HARDING PIKE HART ACE HDWE NASHVILLE TN 100920 Card#8092	10102 Pinnacle Operation Ck *1400	37.12	37.12
Total for 61430 Meals - Employees (Meetings)								\$37.12	
Total for 61400 Meals & Entertainment								\$55.97	
62500 Materials & Supplies									
10/22/2020	Expense					100 ASHFORD CTR N ST SEDC PAYME 100 ASHFORD CTR N ST SEDC PAYMENT 678-9062570 GA 102220 Card#8092	10102 Pinnacle Operation Ck *1400	47.08	47.08
10/26/2020	Expense		Bethpage Stone			BETHPAGE STORE BETHPAGE TN 1024 BETHPAGE STORE BETHPAGE TN 102420 029864894388 Card#8092	10102 Pinnacle Operation Ck *1400	13.01	60.09
Total for 62500 Materials & Supplies								\$60.09	
Total for Expenses								\$244.03	
Net Income								\$ - 244.03	

LG Ornamentals Open Invoices Exhibit F

Date	Transaction Type	Num	Terms	Property	Due Date	Open Balance
10/05/2020	Invoice	1084	Due on receipt	B-L	10/05/2020	8,100.00
						<u>\$ 8,100.00</u>